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December 22, 2005

VIA ELECTRONIC SUBMISSION

Ms. Marlene H. Dortch
Secretary
Office of the Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

RE: In the Matter of WC Docket 03-250, SBC Inc. Petition for Waiver of Section 61.42 of the Commission's Rules

Dear Ms. Dortch:

On December 21, 2005, Scott Goering (via conference call), Sarah Green, and I, on behalf of AT&T Inc.,¹ met with Pricing Policy Division staff members Deena Shetler, Marvin Sacks, and Dick Kwiatkowski regarding AT&T's Petition for Waiver of Section 61.42 of the Commission's rules.

During the meeting, AT&T discussed the diagrams that were filed with the Commission on December 14, 2005, in response to a series of questions asked by the Staff.² Attached as Exhibit 1 are versions of the diagrams that were discussed with Staff. The diagrams were used to explain how AT&T's OPT-E-MAN® special access product is offered³ to retail customers as well as how competing carriers offer packet-switched, advanced services in competition with AT&T's OPT-E-MAN® product offering either through the purchase of special access services or OPT-E-MAN® on a wholesale basis from AT&T.

¹ SBC Communications Inc. ("SBC"), on behalf of its incumbent local exchange affiliates, filed the Petition for Waiver and comments in this proceeding. SBC recently acquired AT&T Corporation and changed its name to AT&T Inc. Accordingly, this ex parte is filed by AT&T Inc., on behalf of its incumbent local exchange carrier affiliates.

² Letter from Sarah L. Green, Associate Director, AT&T, to Marlene H. Dortch, Secretary, FCC, filed Dec. 14, 2005.

³ OPT-E-MAN® is offered in all of AT&T's ILEC regions. Attached as Exhibit 2 is a reference sheet depicting the tariff references for OPT-E-MAN® in AT&T's ILEC tariffs. All of the tariffs referenced herein are available on line at <http://svartifoss2.fcc.gov/prod/ccb/etfs/>.

The OPT-E-MAN® special access service is comprised of packet-switching equipment and facilities which reach the end user through special access line connections. The packet-switching equipment and the facilities are combined by AT&T to provide a high capacity data network service offering. Two OPT-E-MAN® special access rate elements (the port and a committed information rate (CIR)), are elements similar to the channel termination and interoffice facilities associated with traditional DS0-OCn special access services. The OPT-E-MAN® access facilities are then connected from AT&T's network terminating equipment at the demarcation point located at the end user premise to the customer's equipment.

A competing carrier can provide an alternative packet-switched, advance service either over its own facilities (or the facilities of a third party) in conjunction with its Ethernet switch or by purchasing special access from AT&T and combining with its Ethernet switch. In Diagram 2 on Exhibit 1, the competing carrier has its own Ethernet switches, one located at its customer's premises and the other at its point of presence (POP) location. To connect these switches, the carrier could purchase two channel terminations, each connecting the carrier's Ethernet switch to an AT&T central office (CO), and interoffice transport connecting the AT&T COs. In such instance, the purchased channel terminations and interoffice transport would serve the same function as the special access facilities (port and CIR) used to connect a retail end user to the OPT-E-MAN® network.

For example, when a competing carrier has its own Ethernet switch, it could purchase a DS-3 channel termination and interoffice mileage from AT&T via FCC Tariff Number 73, section 39 in AT&T's Southwest region.⁴ As depicted in Diagram 2 on Exhibit 1, the customer may connect a customer premises Ethernet switch that converts the customer's Ethernet traffic to a DS-3 signal and transport the information over AT&T's DS-3 special access service. The customer is responsible for connecting their customer premises equipment to the channel termination at the Demarcation Point.

Alternatively, as depicted in Diagram 3 on Exhibit 1, a competing carrier could purchase OPT-E-MAN® from AT&T on a wholesale basis. In this instance, a competing carrier would purchase a port and CIR (through the OPT-E-MAN® tariff) which would serve the same function as a special access channel termination and interoffice transport.⁵

⁴ Attached as Exhibit 3 is a reference sheet depicting the tariff references where DS-3 special access and other special access offerings (e.g., DS-1, OCn, GigaMAN) are sold across AT&T's ILEC regions. All of the tariffs referenced herein are available on line at <http://svartifoss2.fcc.gov/prod/ccb/etfs/>. Competing carriers have multiple options to purchase services from AT&T to provide competing services. These options provide the competing carriers with flexibility to order services that best meet their needs in provisioning services to end users.


⁵ As depicted in Diagram 3 on Exhibit 1, a competing carrier could purchase multiple ports/CIR, one located at the customer premise and at the carrier's POP.

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Pursuant to Section 1.1206(b) of the Commission's rules, this letter is being filed electronically. I ask that this letter be placed in the record for the above referenced proceeding.

Please contact me with any questions at 202-326-8915.

Sincerely,

A handwritten signature in black ink that reads "Thomas S. Hughes". The signature is written in a cursive style with a large, stylized "H" and "S".

Attachments

CC: Deena Shetler
Marvin Sacks
Dick Kwiatkowski